No. 03-1238

Title:	IBP, Inc., Petitioner v. Gabriel Alvarez, Individually and on Behalf of All Others Similarly Situated, et al.
Docketed:	March 3, 2004
Lower Ct:	United States Court of Appeals for the Ninth Circuit
Case Nos.:	(02-35042, 02-35110)
Decision Date:	August 5, 2003
Rehearing Denied:	November 28, 2003

Questions Presented

~~Date~~	~~~~~~~~Proceedings and Orders~~~~~~~~~~~~~~~~~~~~~~~~
Feb 26 2004	Petition for a writ of certiorari filed. (Response due April 2, 2004)
Apr 2 2004	Motion for leave to file amici brief filed by National Chicken Council, et al.
Apr 2 2004	Brief of respondents Gabriel Alvarez, Individually and on Behalf of All Others Similarly Situated, et al. in opposition filed.
Apr 13 2004	Reply of petitioner IBP, Inc. filed. (Distributed)
Apr 14 2004	DISTRIBUTED for Conference of April 30, 2004.
May 3 2004	The Solicitor General is invited to file a brief in this case expressing the views of the United States.
Oct 25 2004	Brief amicus curiae of United States filed.
Nov 2 2004	Supplemental brief of petitioner IBP, Inc. filed. (Distributed)
Nov 9 2004	DISTRIBUTED for Conference of November 24, 2004.
Nov 10 2004	Supplemental brief of respondents Gabriel Alvarez, et al. filed. (Distributed)
Jan 18 2005	DISTRIBUTED for Conference of February 18, 2005.
Feb 22 2005	Motion for leave to file amicus brief filed by National Chicken Council, et al. GRANTED.
Feb 22 2005	Petition GRANTED imited to Question 1 presented by the petition. The case is consolidated with No. 04-66 and a total of one hour is allotted for oral argument.
Mar 25 2005	Extension of time within which to file the joint appendix and petitioner's brief on the merits to and including May 9, 2005. VIDED.
May 2 2005	Further extension of time within which to file the joint appendix and petitioners' briefs on the merits to and including May 16, 2005. VIDED
May 16 2005	Joint appendix filed.
May 16 2005	Brief of petitioner IBP, Inc. filed.
May 17 2005	Brief amicus curiae of AFL-CIO filed. VIDED.

May 23 2005	Extension of time within which to file respondents' briefs on the merits to and including July 13, 2005. VIDED
Jul 8 2005	Further extension of time within which to file respondents' brief on the merits to and including August 1, 2005.
Jul 20 2005	CIRCULATED.
Jul 20 2005	SET FOR ARGUMENT on Monday, October 3, 2005.
Jul 29 2005	Record received from U.S.C.A. 9th Circuit. (1 envelope)
Aug 1 2005	Brief amicus curiae of United States filed. (Distributed)
Aug 1 2005	Brief of respondents Gabriel Alvarez, Individually and on Behalf of All Others Similarly Situated, et al. filed. (Distributed)
Aug 9 2005	Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument filed. VIDED
Aug 15 2005	Motion for divided argument filed by respondents Alvarez, et al. VIDED
Aug 15 2005	Motion for divided argument filed by IBP, Inc. and Barber Foods, Inc. (VIDED)
Sep 1 2005	Record received from U.S.D.C. for Districr Fo Washington (Spokane). (9 boxes)
Sep 2 2005	Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument GRANTED.
Sep 2 2005	Motion for divided argument filed by IBP, Inc. and Barber Foods, Inc. DENIED.
Sep 2 2005	Motion for divided argument filed by respondents Alvarez, et al. DENIED.
Sep 6 2005	Reply of petitioner IBP, Inc. filed. (Distributed)
Oct 3 2005	Argued. For petitioner in 03-1238 and respondent in 04-66: Carter G. Phillips, Washington, D.C. For respondents in 03-1238 and petitioners in 04-66: Thomas C. Goldstein, Washington, D.C.; and Irving L. Gornstein, Assistant to the Solicitor General, Department of Justice, Washington, D.C. (for United States, as amicus curiae.)